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Date: March 14, 2003

To: Atty Douglas I. Wood

Company: USPTO

Fax: (703-308-6916)

From: Paul H. Gallagher Atty

Company: Self

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Number of pages including this one: _____

Comments:

See accompanying FAX
letter of 2 sheets

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u n i t e d s t a t e s p a t e n t & t r a d e m a r k o f f i c e

March 14, 2003

Applicant: Nikolich

Two applications

#1 - Ser. No. 10/077,732

#2 - Ser. No. 10/084075

REQUEST FOR RECONSIDERATION

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Commissioner of Patents & Trademarks

MAR 14 2003

Washington, D. C. 20231

FAX 703-308-6916 PETITIONS OFFICE

Attention Beverly M. Flanagan

Supervisory Petitions Examiner

Office of Petitions

Attention Attorney Douglas I. Wood

Sir:

Applicant requests reconsideration of the Decision Dismissing
Request dated Feb. 12, 2003

As a brief summary background, the present occasion was caused
by the anthrax episode in the Patent Office in October, 2001.

The Decision of February 12, 2003 was in response to the Re-
quest to Establish Filing date, filed June 8, 2002.

Quite a number of points were covered in the Decision mentioned
but there was one main point that was not covered and it is
believed that that one point is determinative of the overall
conclusion, and it would be better to present this simple re-
quest on one point than to cover all the points involved; which
are many, at this time because it is believed the extensive re-
quest could be avoided by re-considering the one main point
referred to here.

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March 14, 2003.

In a telephone conversation between the undersigned and the Patent Office on December 14, 2001, the undersigned was advised not to file a new substitute application. This point was referred to in the Request to Establish Filing Date (identified hereinabove

This point was not acknowledged in the Decision.

However, if such a substitute application had been filed at that time, the present trouble would not have occurred.

Applicant respectfully calls attention to the fact that the earlier of the two substitute applications identified in the Decision as having been filed 19 February, 2002.

Respectfully,



Paul H. Gallagher
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